

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

STANLEY REALTY HOLDINGS, LLC,

Plaintiff,

v.

TOWN OF WATERTOWN, et al.,

Defendants.

Civil Action No. 04-11394 WGY

MOTION FOR EXTENSION OF TIME
TO SERVE SUMMONS AND COMPLAINT

Plaintiff Stanley Realty Holdings, LLC (“Stanley Realty”) moves pursuant to Rule 4(m), Fed.R.Civ.P., for an extension of time up to and including December 8, 2004, to serve defendants with a summons and complaint in this matter.

In support of this motion, Stanley Realty states as follows:

1. Stanley Realty filed its Complaint in this matter on June 18, 2004.
2. At the time it filed its Complaint here, Stanley Realty and several of the defendants were already engaged in actions in the courts of the Commonwealth of Massachusetts.
3. Shortly after filing its Complaint here, Stanley Realty and defendants began settlement discussions aimed at resolving all pending litigation, including this action. In the interests of achieving settlement, Stanley Realty has not served defendants with a summons and complaint in this matter.

4. Stanley Realty presented its most recent settlement offer to the Watertown defendants on November 1, 2004. Stanley Realty believes it will not know before November 30, 2004, whether the parties will achieve settlement.

5. None of the defendants will be prejudiced by the requested extension.

FOR THESE REASONS, Stanley Realty requests that the Court extend the deadline for service of a summons and complaint on each of the defendants up to and including December 8, 2004.

STANLEY REALTY HOLDINGS, LLC,

By its attorneys,

/s/ Michael D. Vhay

Michael D. Vhay (BBO #566444)

Bruce S. Barnett (BBO # 647666)

PIPER RUDNICK LLP

One International Place, 21st Floor

100 Oliver Street

Boston, MA 02110-2600

(617) 406-6000 (telephone)

(617) 406-6100 (fax)

Dated: November 3, 2004